

1171

**WRITTEN STATEMENT TO SENIOR EXECUTIVE
COMMITTEE - OPERABLE UNIT (OU3) - INITIAL
SCREENING OF ALTERNATIVES**

02-12-91

**DOE-774-91
DOE-FMPC/DOE-ORO & USEPA
2
LETTER**



Department of Energy

1171

FMPC Site Office
P.O. Box 398705
Cincinnati, Ohio 45239-8705
(513) 738-6319

FEB 12 1991
DOE-774-91

Mr. Joe La Grone, Manager
Oak Ridge Operations
U. S. Department of Energy
200 Administration Road
Oak Ridge, TN 37830

Mr. Valdas V. Adamkus, Regional Administrator
U. S. Environmental Protection Agency
Region V - 5A-14
230 South Dearborn Street
Chicago, IL 60604

Dear Mr. La Grone and Mr. Adamkus:

**WRITTEN STATEMENT TO SENIOR EXECUTIVE COMMITTEE - OPERABLE UNIT
(OU3) - INITIAL SCREENING OF ALTERNATIVES**

This letter is a written statement to the Senior Executive Committee (SEC) under Section XIV.F (RESOLUTION OF DISPUTES) of the 1990 Consent Agreement between the U. S. Department of Energy (DOE) and the U. S. Environmental Protection Agency (EPA).

DOE disputed EPA's disapproval of the Initial Screening of Alternatives (ISA) for Operable Unit 3, the accompanying Notice of Violation (NOV), and proposed stipulated penalty assessment (which was elevated to you separately). An informal dispute resolution meeting was held on January 22, 1991 to discuss technical issues raised on the ISA. Agreements were reached on many of the technical issues, however, a resolution on the main issue of the scope of Operable Unit 3 has not been reached.

On January 22, 1991, DOE elevated this dispute to the Dispute Resolution Committee (DRC) under Section XIV of the 1990 Consent Agreement. Our letter (enclosed) of January 4, 1991, which sets forth DOE's positions, constitutes DOE's written statement of dispute. A copy of this letter is being provided to the SEC as required by Section XIV.E of the 1990 Consent Agreement.

Sincerely,

Ray W. Westerbeck
Gerald W. Westerbeck
FMPC Site Manager

DP-84:Avel

Enclosure: As stated

cc w/encl.:

R. P. Whitfield, EM-40, FORS
R. P. Berube, EH-20, FORS
G. L. Dever, EH-221, FORS
E. G. Feldt, EH-232, FORS
K. A. Hayes, EM-422, GTN
J. J. Fiore, EM-40, GTN
W. D. Adams, EW-90, ORO
P. J. Gross, SE-31, ORO
G. E. Mitchell, OEPA-Dayton
W. E. Muno, USEPA-V
J. Benetti, USEPA-V
K. J. Pierard, USEPA-V
D. A. Ullrich, USEPA-V
M. Butler, USEPA-V
E. Schuessler, PRC
R. L. Glenn, Parsons
W. H. Britton, WMCO
S. W. Coyle, WMCO
S. M. Peterman, WMCO
J. D. Wood, ASI

CC: ERA File
AR File